



COMMONWEALTH of VIRGINIA

Office of the Attorney General
Richmond 23219

Jason S. Miyares
Attorney General

202 N. Ninth Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 225 - 4541 TDD

MEMORANDUM

To: Michael Menefee
Program Manager
Charitable and Regulatory Programs
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: January 19, 2023

Subject: Letter of Assurance for the Repeal of Charitable Gaming Board's Charitable Gaming Regulations
11 VAC 15-40

I have reviewed the Virginia Department of Agriculture and Consumer Services's (the Department) proposed repeal of Charitable Gaming Board's Charitable Gaming Regulations by the Department of Agriculture and Consumer Services 11 VAC 15-40. In my view, as counsel to the Department, these regulations may be promulgated pursuant to § 18.2-340.19 of the *Code of Virginia* and Chapters 554 and 609 of the 2022 Acts of Assembly. I note that this regulatory action is necessary to comply with the and Chapters 554 and 609 of the 2022 Acts of Assembly. Further, the repeal of these regulations is exempt from the requirements of Article 2 of Chapter 40 of Title 2.2 of the *Code of Virginia* pursuant to § 2.2-4006(A)(4)(a) and Chapters 554 and 609 of the 2022 Acts of Assembly. The regulatory action does not appear to conflict with the Constitution

of the United States or the Constitution of the Commonwealth of Virginia, nor does it appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of this regulatory action.